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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 DERMOT D. GIVENS,

9 Plaintiff,

10 v.

11 E. BRENT BRYSON,

12 Defendant.
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2:11-CV-20 JCM (GWF)

15 **ORDER**

16 Presently before the court is the matter of *Givens v. Bryson* (Case No.
17 2:11-cv-00020-JCM-GWF).

18 Federal Rule of Civil Procedure 4(m) provides: “If a defendant is not served within 120 days
19 after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must
20 dismiss the action without prejudice.”

21 Plaintiff filed the complaint on January 14, 2011. (Doc. #1). Pursuant to Federal Rule of Civil
22 Procedure 4(m), on July 12, 2011, the clerk of the court provided notice to the plaintiff that the
23 action would be dismissed as to defendant E. Brent Bryson, if plaintiff did not file proof of service
24 of process by August 11, 2011. (Doc. #8).

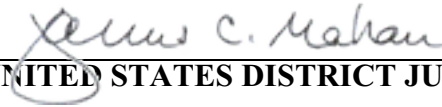
25 To date, plaintiff has failed to file proof of service with the court as to defendant E. Brent
26 Bryson.
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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-captioned case
be, and the same hereby is, DISMISSED without prejudice.

DATED August 17, 2011.


UNITED STATES DISTRICT JUDGE